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September 14, 2005

BY FAX

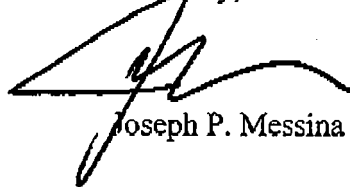
Leeron G. Kalay, Esq.
Weil, Gotshal & Manges, LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065

Re: Oracle Corporation v. Mangosoft, Inc., et al.
U.S.D.C. for the N.D. California Civil Action No. 03-02267-VRW

Dear Mr. Kalay:

On September 6, 2005 you purported to serve deposition subpoenas on a number of third-parties simply by providing them by fax to me. This is not sufficient on Rule 45 of the Federal Rules of Civil Procedure. If you wish to attempt to procure the attendance of any of these individuals at a deposition, you need to subpoena them in accordance with the provisions of Rule 45.

Sincerely,



Joseph P. Messina

cc: Thomas W. Lathram, Esq.

LIT 1534358v1